

Delta Stewardship Council 2011-12 Legislative Session

[AB 95](#)

(Committee on Budget) Public resources.

Introduced: 1/10/2011

Last Amend: 3/17/2011

Status: 3/24/2011-Chaptered by the Secretary of State, Chapter Number 2, Statutes of 2011

Summary: Current law establishes the Fair and Exposition Fund for the purpose of allocating moneys to provide financial support for the network of California fairs. Current law requires that \$32,000,000 be transferred annually from the General Fund to the credit of a separate account of the fund. Current law provides that the revenues in that separate account are continuously appropriated to the Department of Food and Agriculture for specified purposes. In addition, current law requires the deposit of \$10,000,000 of the license fees for horse racing meetings into the fund and continuously appropriates those funds to the 51st District Agricultural Association for specified purposes. This bill would repeal that annual transfer from the General Fund and those other provisions and make related changes. This bill contains other related provisions and other current laws.

Position

Support

[AB 127](#)

(Logue R) Regulations: effective date.

Introduced: 1/11/2011

Status: 1/18/2012-From committee without further action pursuant to Joint Rule 62(a).

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Under current law, a regulation or an order of repeal of a regulation becomes effective on the 30th day after it is filed with the Secretary of State, except as provided. This bill would require that a regulation or an order of repeal of a regulation become effective, instead, on January 1 next following a 90-day period after the date it is filed with the Secretary of State, except as provided.

Position

No Position

[AB 134](#)

(Dickinson D) Appropriation of water: Sacramento Regional County Sanitation District.

Introduced: 1/12/2011

Last Amend: 4/15/2011

Status: 9/6/2011-Chaptered by the Secretary of State, Chapter Number 212, Statutes of 2011

Summary: Would authorize the Sacramento Regional County Sanitation District to file an application for a permit to appropriate a specified amount of water that is based on the volume of treated wastewater that the district discharges into the Sacramento River, as specified. The bill would authorize the state board to grant a permit to appropriate that treated wastewater upon terms and conditions determined by the state board. The bill would require the board, prior to granting a permit pursuant to these provisions, to comply with permit, approval, and review requirements and other laws applicable to the appropriation of water. This bill contains other related provisions and other current laws.

Position

Watch

[AB 157](#)

(Jeffries R) Safe, Clean, and Reliable Drinking Water Supply Act of 2012.

Introduced: 1/19/2011

Status: 1/10/2012-In committee: Set, second hearing. Failed passage.

Summary: Would reduce by 25% the total amount of bonds authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes. This bill contains other related provisions.

Position

No Position

[AB 172](#)

(Eng D) State agencies: information: Internet Web site.

Introduced: 1/20/2011

Last Amend: 9/7/2011

Status: 10/9/2011-Vetoed by the Governor

Summary: Would require the California Technology Agency to create and maintain a Reporting Transparency in Government Internet Web site, as prescribed. It would require, subject to specific exemptions, state agencies to post specified audits to that Internet Web site for a period of 3 years, and would require the Department of General Services, the California Technology Agency, and other state agencies to post specified summary data regarding contracts awarded by the state to that

Internet Web site, for the length of the contract. The bill would exempt certain state officers from the requirement of posting the information to the Reporting Transparency in Government Internet Web site, if that officer posts the required information to his or her official Internet Web site, as specified. This bill contains other related provisions.

Position

Oppose

[AB 275](#) **(Solorio D) Rainwater Capture Act of 2011.**

Introduced: 2/7/2011

Last Amend: 7/13/2011

Status: 10/9/2011-Vetoed by the Governor

Summary: Would enact the Rainwater Capture Act of 2011, which would authorize residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill would require a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system. This bill contains other related provisions and other current laws.

Position

Watch

[AB 359](#) **(Huffman D) Groundwater management plans.**

Introduced: 2/14/2011

Last Amend: 6/30/2011

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 572, Statutes of 2011

Summary: Current law authorizes specified local agencies that provide water service to adopt and implement a groundwater management plan. Current law requires a local agency that elects to develop a groundwater management plan to hold a hearing prior to adopting a resolution of intention to draft a plan and, after the plan is prepared, to hold a 2nd hearing to determine whether to adopt the plan. Current law requires the local agency to publish a specified notice before each of these hearings. Current law requires a local agency to prepare a groundwater management plan within 2 years of the date of the adoption of the resolution of intention. This bill would require the local agency to provide a copy of a resolution of intention to the Department of Water Resources within 30 days of the date of adoption. The bill would authorize any person to request to be placed on a list established by the local agency for purposes of receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. The bill would require the local agency to provide each of those interested persons and the department with a specified notice prior to the 2nd hearing to determine whether to adopt the plan. The bill would require, if a groundwater management plan is not adopted within 2 years of the date of the adoption of a resolution of intention and the local agency is operating under a previously adopted groundwater management plan, that the previously adopted plan remain in effect. The bill would require the department to post on its Internet Web site the information the department possesses regarding the local agencies that have jurisdiction to develop groundwater management plans and information regarding groundwater management plans provided by local agencies and specified groundwater monitoring entities. This bill contains other related provisions and other current laws.

Position

NAR

[AB 410](#) **(Swanson D) Regulations: adoption: disability access.**

Introduced: 2/14/2011

Last Amend: 8/30/2011

Status: 10/6/2011-Chaptered by the Secretary of State, Chapter Number 495, Statutes of 2011

Summary: Would require an agency that proposes certain regulations, upon a request from a person with a visual disability or other disability for which effective communication is required under state or federal law, to provide that person a narrative description of the proposed regulation, as prescribed, and would provide for an extended public comment period for that person. The bill would make these requirements applicable to an agency only for purposes of a proposed regulation until that regulation is filed with the Secretary of State or until the agency otherwise concludes the regulatory adoption process. The bill would also require an agency to include within the notice of proposed action a specified statement regarding the availability of narrative descriptions for persons with visual or other specified disabilities. The bill would require an agency that adopts a regulation that is subject to the requirements of the bill to submit a report to the Governor and certain committees of the Legislature on or before February 1, 2014, as specified. This bill contains other current laws.

Position

NAR

[AB 425](#) **(Nestande R) State regulations: review.**

Introduced: 2/14/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Current law authorizes various state entities to promulgate and implement regulations, subject to specified criteria. This bill would require, no later than December 31, 2012, each state entity that promulgates regulations to review those regulations, and repeal or report to the Legislature those identified as duplicative, archaic, or inconsistent with statute or other regulations. It would also require these entities to report to the Legislature by that date on regulations deemed to inhibit economic growth in the state.

Position

No Position

[AB 429](#) **(Knight R) Regulations: effective date.**

Introduced: 2/14/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require an agency, for any regulation that it has identified as having a gross cost of \$15,000,000 or more, an increased cost of 5% or more over the cost of an current regulation, or both, to submit a copy of the rulemaking record for that regulation to the appropriate policy committee in each house of the Legislature when the agency submits the regulation to the office for approval. This bill contains other related provisions.

Position

No Position

[AB 530](#) **(Smyth R) Regulations: economic and technical information.**

Introduced: 2/15/2011

Last Amend: 3/31/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: The Administrative Procedure Act requires an agency to file with the office, when it files the notice of proposed action, an initial statement of reasons that includes, among other things, a description of reasonable alternatives to the proposed regulation and the agency's reason for rejecting the alternatives, as specified. This bill would require the initial statement of reasons to also identify each document, including, but not limited to, technical, theoretical, and empirical studies, reports, or similar documents, upon which the agency relied in rejecting each reasonable alternative. The bill would prohibit an agency from rejecting a reasonable alternative unless the statement of reasons includes at least one of these documents. The bill would also repeal a provision that authorizes the agency to avoid having to artificially construct alternatives, describe unreasonable alternatives, or justify why it did not describe alternatives. This bill contains other related provisions.

Position

No Position

[AB 531](#) **(Olsen R) Groundwater.**

Introduced: 2/15/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/15/2011)

Summary: Current law relating to groundwater management declares the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions, and makes related legislative findings and declarations. This bill would make technical, nonsubstantive changes to those legislative findings and declarations.

Position

NAR

[AB 535](#) **(Morrell R) Regulations: 5-year review and report.**

Introduced: 2/16/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Would require a state agency to review and report on regulations that it adopts or amends on and after January 1, 2012, 5 years after adoption, as specified. The bill would require that the review and report include 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the immediately preceding 5 years and the estimated economic, small business, and consumer impact of the regulation. The bill would require the Office of Administrative Law to make the review and report available on the office's Internet Web site.

Position

NAR

[AB 550](#) **(Huber D) Sacramento-San Joaquin Delta: peripheral canal.**

Introduced: 2/16/2011

Last Amend: 1/4/2012

Status: 1/10/2012-In committee: Set, first hearing. Failed passage.

Summary: Would prohibit the construction of a peripheral canal, as defined, that conveys water from a diversion point in the Sacramento River to a location south of the Sacramento-San Joaquin Delta,

unless expressly authorized by the Legislature. The bill would require the Legislative Analyst's Office to complete an economic feasibility analysis prior to the enactment of a statute authorizing the construction of a peripheral canal. The bill would prohibit the construction and operation of a peripheral canal from diminishing or negatively affecting the water supplies, water rights, or quality of water for water users within the Sacramento-San Joaquin Delta watershed, or imposing any new burdens on infrastructure within, or financial burdens on persons residing in, the Delta or the Delta watershed.

Position

No Position

[AB 576](#) **(Dickinson D) Delta Stewardship Council: Delta Plan: financing.**

Introduced: 2/16/2011

Last Amend: 3/31/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require the Delta Stewardship Council to develop a long-term finance plan to pay for the costs of implementing the Delta Plan by January 1, 2013. The bill would prohibit the council from adopting new fees for these purposes unless authorized by statute. The bill would authorize the council, before adopting and collecting long-term revenue sources, to seek to obtain early funding contributions from entities that may benefit from implementation of the Delta Plan and to track those contributions to provide credit against future funding requirements.

Position

No Position

[AB 627](#) **(Berryhill, Bill R) State Water Resources Development System: Delta Corridors Plan: feasibility study.**

Introduced: 2/16/2011

Last Amend: 3/31/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Would require the Department of Water Resources to undertake an expedited evaluation and feasibility study with regard to the implementation of a specified Delta Corridors Plan as part of the State Water Resources Development System. The bill would require the department to consult with the Department of Fish and Game to study specified impacts and benefits of the Delta Corridors Plan and to include in the study an assessment of the incorporation of the Two-Gates Fish Protection Demonstration Project managed by the United States Bureau of Reclamation into the Delta Corridors Plan. The department would be required to prepare and submit to the Legislature, on or before January 1, 2013, a report that includes its feasibility findings. If the department determines the implementation of the plan is feasible, the department would be required to include recommendations with regard to specific facilities to be constructed, and to identify potential funding sources, for the purposes of implementing the plan. This bill contains other related provisions.

Position

Watch

[AB 632](#) **(Wagner R) Regulations: legislative notice.**

Introduced: 2/16/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was B.,P. & C.P. on 12/5/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Current law requires that an agency mail a notice of proposed action to specified entities at least 45 days prior to the hearing and close of the public comment period on the adoption, amendment, or repeal of a regulation. This bill would require that the notice of proposed action also be submitted to the Legislature if it includes particular information relating to economic and cost impacts of the regulation on businesses and private persons.

Position

No Position

[AB 640](#) **(Logue R) Water discharges: mandatory minimum civil penalties.**

Introduced: 2/16/2011

Last Amend: 1/4/2012

Status: 1/19/2012-From committee: Do pass. (Ayes 17. Noes 0.) (January 19).

Summary: Under current law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (state act). The state act, with certain exceptions, imposes a mandatory minimum penalty of \$3,000 for each serious waste discharge violation, as defined, and for certain other described violations if those violations occur 4 or more times in any period of 6 consecutive months. This bill would expand that definition to include a POTW serving a community of 20,000 persons or fewer or a rural county, as specified. This bill contains other

current laws.

Position
Watch

[AB 685](#) (Eng D) State water policy.

Introduced: 2/17/2011

Last Amend: 1/13/2012

Status: 1/13/2012-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Summary: Would declare that it is the policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The bill would require, on and after January 1, 2013, all relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, the California regional water quality control boards, and the State Department of Public Health, to advance the implementation of this state policy upon revising current, and upon adopting or establishing new, policies, regulations, and funding criteria when those policies, regulations, and grant criteria are pertinent to the uses of water described above.

Position
Watch

[AB 735](#) (Mitchell D) Interns and student assistants: hiring preference.

Introduced: 2/17/2011

Last Amend: 8/25/2011

Status: 10/4/2011-Chaptered by Secretary of State - Chapter No. 464, Statutes of 2011

Summary: Would require state agencies, when hiring for internships and student assistant positions, to give preference, as defined, to persons who are, or have been, dependent children in foster care. The bill would require the preference to be granted to applicants up to 26 years of age. The bill would also require the county welfare department to provide dependent children with information notifying them that they may be eligible for this preference, as specified. By imposing this additional duty on county welfare departments, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Position
NAR

[AB 745](#) (Valadao R) California Water Plan.

Introduced: 2/17/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2011)

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. This bill would make technical, nonsubstantive changes to that requirement.

Position
Watch

[AB 763](#) (Berryhill, Bill R) Water rights: administrative procedures.

Introduced: 2/17/2011

Last Amend: 4/12/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was W.,P. & W. on 12/14/2011)

Summary: Would authorize the State Water Resources Control Board to employ administrative law judges meeting specified qualifications and to authorize an administrative law judge to conduct hearings and issue decisions and orders relating to the administration of water rights, as specified. The bill would authorize any hearing or investigation of the board to be conducted by an administrative law judge, with a specified exception. This bill contains other related provisions and other current laws.

Position
Watch

[AB 779](#) (Fletcher R) Municipal water districts: oversight.

Introduced: 2/17/2011

Last Amend: 3/30/2011

Status: 6/3/2011-Failed Deadline pursuant to Rule 61(a)(8). (Last location was L. GOV. on 3/31/2011)

Summary: Current law, the Municipal Water District Law of 1911, authorizes the formation of a municipal water district to acquire and sell water, and specifies the powers and purposes of a municipal water district. This bill would authorize a municipal water district to establish an independent oversight committee to assist in tracking and reviewing revenues of the district to advance capital improvements, operations and maintenance of district facilities, and allocation methodologies. The bill

would authorize an independent oversight committee to perform specified functions for those purposes.

Position
Watch

[AB 800](#) (Huber D) Boards and commissions: time reporting.

Introduced: 2/17/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Would require that a member of a board or commission that meets specified requirements submit a quarterly report to the chair of the board or commission that details the time worked by the member fulfilling the duties of his or her position. This bill would also require that the chair of the board or commission submit a quarterly report to specified committees of the Legislature that contains copies of all of the time reports received by the chair.

Position
No Position

[AB 849](#) (Gatto D) Water: use efficiency: graywater building standards.

Introduced: 2/17/2011

Last Amend: 8/18/2011

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 577, Statutes of 2011

Summary: Would repeal the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater and instead authorize the adoption, under specified requirements, of standards that are more restrictive than that adopted pursuant to state requirements. The bill would require that an ordinance enacted pursuant to this authority include the local climatic, geological, topographical, or public health conditions requiring different building standards. The bill would also require a city, county, or other local agency to seek consultation with the local public health department prior to commencing the issuance of permits for indoor graywater systems, as specified.

Position
Watch

[AB 903](#) (Berryhill, Bill R) Sacramento-San Joaquin Delta: dredging.

Introduced: 2/17/2011

Last Amend: 4/12/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Current law establishes various policies of the state relative to the Sacramento-San Joaquin Delta. This bill would make legislative findings relative to the importance of dredging in the Sacramento-San Joaquin Delta, and would require the State Water Resources Control Board to provide priority review for dredging permits in the Delta.

Position
NAR

[AB 964](#) (Huffman D) Water rights: appropriation.

Introduced: 2/18/2011

Last Amend: 8/18/2011

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 579, Statutes of 2011

Summary: Would authorize any person to obtain a right to appropriate water for a small irrigation use, as defined by the bill, upon registering the use with the State Water Resources Control Board, as prescribed, and thereafter applying the water to reasonable and beneficial use with due diligence. The bill would provide that the board is not required to adopt general conditions applicable to appropriations for small irrigation use until the board determines that funds are available for that purpose. The authority to register for small irrigation use would be effective only to the extent that the board has established the general conditions for the applicable category of small irrigation use. The bill would require the board, prior to adopting other general conditions for small irrigation use, and no later than June 30, 2012, to adopt general conditions for small irrigation use for facilities used for frost protection with respect to specified coastal streams, unless the board determines that sufficient funds are not available for that purpose. This bill contains other related provisions and other current laws.

Position
Watch

[AB 968](#) (Chesbro D) California Indian tribes.

Introduced: 2/18/2011

Last Amend: 1/4/2012

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was G.O. on 1/4/2012)

Summary: Current law encourages and authorizes all state agencies to cooperate with federally

recognized California Indian tribes on matters of economic development and improvement for the tribes. This bill would establish the position of Tribal Advisor in the Governor's office, to be appointed by the Governor. The bill would set forth the duties of the Tribal Advisor. The bill would additionally require every state agency and department to communicate and consult with California Indian tribes, as specified.

Position

No Position

[AB 977](#) **(Harkey R) Harbors and ports: loans: OC Dana Point Harbor.**

Introduced: 2/18/2011

Last Amend: 3/31/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require the Department of Boating and Waterways to extend until June 30, 2016, all phases of certain loan contracts between the department and the County of Orange, OC Dana Point Harbor.

Position

Watch

[AB 1002](#) **(Butler D) California Water Plan: stormwater recovery.**

Introduced: 2/18/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require the Department of Water Resources to include in the California Water Plan, a discussion of strategies relating to stormwater recovery.

Position

Watch

[AB 1023](#) **(Wagner R) Maintenance of the codes.**

Introduced: 2/18/2011

Last Amend: 7/12/2011

Status: 9/21/2011-Chaptered by the Secretary of State, Chapter Number 296, Statutes of 2011

Summary: Current law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes. This bill would make nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.

Position

NAR

[AB 1037](#) **(V. Manuel Pérez D) Regulations: small business impact.**

Introduced: 2/18/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. The act declares that it is the intent of the Legislature that neither the Office of Administrative Law nor the court should substitute its judgment for that of the rulemaking agency as expressed in the substantive content of adopted regulations. This bill would, instead, declare that it is the intent of the Legislature that only the court not substitute its judgment for that of the rulemaking agency. This bill contains other related provisions and other current laws.

Position

No Position

[AB 1152](#) **(Chesbro D) Groundwater.**

Introduced: 2/18/2011

Last Amend: 6/30/2011

Status: 9/7/2011-Chaptered by the Secretary of State, Chapter Number 280, Statutes of 2011

Summary: Would add to the list of entities that may assume responsibility for monitoring and reporting groundwater elevations, a local agency that has been collecting and reporting groundwater elevations and that does not have a groundwater management plan, if the local agency adopts a groundwater management plan in accordance with specified provisions of current law by January 1, 2014. The bill would permit the department to authorize the local agency to conduct monitoring and reporting of groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first. This bill contains other related provisions and other current laws.

Position

Watch

[AB 1200](#) **(Ma D) Water quality: discharges: sewer systems.**

Introduced: 2/18/2011

Last Amend: 5/4/2011

Status: 7/8/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/16/2011)

Summary: Would require a local public agency that operates a combined sewer and stormwater system to implement a notification plan to inform the public in the event of a discharge that occurs on or near a recreational beach. The bill would require the agency, upon the occurrence of a sewer discharge on or near a recreational beach, to post notice at the beach and conduct shoreline monitoring, in accordance with a schedule determined by the appropriate California regional water quality control board. The bill would require the agency to make reasonable efforts to enter into an agreement with a nongovernmental organization for regular sampling of receiving waters affected by discharges from the combined sewer and stormwater system. By imposing new requirements on local public agencies that operate combined sewer and stormwater systems, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Position

Watch

[AB 1213](#) **(Nielsen R) Regulations.**

Introduced: 2/18/2011

Last Amend: 4/12/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would revise the definition of "necessity" to require that the need for the regulation be demonstrated by a preponderance of the evidence. This bill contains other related provisions and other current laws.

Position

No Position

[AB 1283](#) **(Berryhill, Bill R) Safe, Clean, and Reliable Drinking Water Supply Act of 2012.**

Introduced: 2/18/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2011)

Summary: Current law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. Current law provides for the submission of the bond act to the voters at the November 6, 2012, statewide general election. This bill would declare the intent of the Legislature to enact legislation relating to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012.

Position

Watch

[AB 1322](#) **(Bradford D) Regulations: principles of regulation.**

Introduced: 2/18/2011

Last Amend: 4/15/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. This bill would adopt the regulatory philosophy and the principles of regulation, as outlined in Presidential Executive Order 12866, in order to achieve the same regulatory benefits within the state, as specified.

Position

No Position

[AB 1431](#) **(Committee on Accountability and Administrative Rev) Government reports.**

Introduced: 4/14/2011

Last Amend: 1/4/2012

Status: 1/19/2012-Do pass, as amended, to Consent Calendar.

Summary: Current law requires that various state agencies submit certain reports to the Legislature and other state agencies. This bill would eliminate the requirement that certain state agencies submit certain reports to the Legislature and other state agencies. This bill contains other related provisions and other current laws.

Position

NAR

[AB 1504](#) **(Morrell R) Administrative regulations.**

Introduced: 1/10/2012

Status: 1/19/2012-Referred to Com. on B., P. & C.P.

Summary: Would require each state agency that is considering adopting, amending, or repealing a

regulation, in addition to those current economic impact analysis requirements, to complete an economic assessment of the proposed action at least 90 days prior to submitting a notice of proposed action to the office. The bill would subject the economic assessment to public comment. The bill would require the economic assessment to include specified analyses. This bill contains other related provisions and other current laws.

Position
Watch

SB 34 **(Simitian D) California Water Resources Investment Act of 2011.**

Introduced: 12/6/2010

Last Amend: 4/13/2011

Status: 7/13/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was APPR. on 5/4/2011)

Summary: Would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations. This bill contains other related provisions and other current laws.

Position
Watch

SB 52 **(Steinberg D) Environmental quality: jobs and economic improvement.**

Introduced: 12/15/2010

Last Amend: 1/12/2012

Status: 1/17/2012-Read second time. Ordered to third reading.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require instead that a project result in a minimum investment of \$100,000,000 spent on planning, design, and construction of the project. The bill, in order to maximize public health, environmental, and employment benefits, would require a lead agency to place the highest priority on feasible measures that will reduce greenhouse gas emissions on the project site and in the neighboring communities of the project site. This bill contains other related provisions and other current laws.

Position
Watch

SB 120 **(Anderson R) State funds: registered warrants.**

Introduced: 1/24/2011

Last Amend: 5/31/2011

Status: 8/25/2011-Set, second hearing. Held in committee and under submission.

Summary: Current law prescribes procedures for the issuance of registered warrants and provides that a registered warrant is acceptable and may be used as security for the performance of any public or private trust or obligation. This bill would require a state agency to accept, from any person or entity, a registered warrant issued by the Controller that is endorsed by that payee, at full face value, for the payment of any obligations owed by that payee to that state agency. This bill contains other related provisions.

Position
NAR

SB 200 **(Wolk D) Delta levee maintenance.**

Introduced: 2/8/2011

Last Amend: 1/11/2012

Status: 1/19/2012-Set for hearing January 19.

Summary: Current law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. Current law declares legislative intent to reimburse eligible local agencies under this program, until July 1, 2013, in an amount not to exceed 75% of those costs that are incurred in excess of \$1,000 per mile of levee,

and on and after that date, in an amount not to exceed 50% of those described costs. This bill, instead, would declare legislative intent to reimburse up to 75% of those described costs until an unspecified date, and on and after that date, to reimburse up to 50% of those described costs. This bill contains other related provisions and other current laws.

Position
Watch

SB 224 **(Pavley D) Public contracts: Department of Water Resources.**

Introduced: 2/9/2011

Last Amend: 9/1/2011

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 587, Statutes of 2011

Summary: Current law provides that specified contracts entered into by any state agency for goods, services, or other specified activities, whether awarded through competitive bidding or not, are void unless and until approved by the Department of General Services, and approval shall be denied if the contract does not meet the required specifications of the bidding process. That law exempts certain transactions and contracts from that law, as specified. Current law requires state agencies to secure at least 3 competitive bids for each contract and exempts specified contracts from this requirement. This bill would make those laws inapplicable to any contract entered into by the Department of Water Resources for the acquisition, sale, or transmission of power, or for related services, as specified. This bill would authorize the Department of Water Resources to award contracts for the acquisition of specialized equipment for facilities of the State Water Resources Development System, and would require the Department of Water Resources, in collaboration with the Department of General Services, to establish the conditions under which a contract in excess of \$25,000 is awarded without the competitive bidding process, as specified. This bill would include in the list of exempt contracts that do not require 3 competitive bids, contracts for services for the operation, maintenance, repair, or replacement of specialized equipment at facilities of the State Water Resources Development System and other specified contracts entered into by the Department of Water Resources, as provided. This bill would require the Department of Water Resources to be governed by the laws regarding contracting for goods and services by state agencies, as prescribed.

Position
Watch

SB 250 **(Rubio D) Sacramento-San Joaquin Delta: Delta Plan: conveyance facility.**

Introduced: 2/10/2011

Last Amend: 8/29/2011

Status: 8/29/2011-Referred to Com. on RLS. From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: Current law imposes requirements on the Department of Water Resources in connection with the preparation of a Bay Delta Conservation Plan (BDGP). This bill would require that the department's development of certain Delta conveyance facilities be completed on or before February 15, 2013, and would require that the construction of those facilities be completed by December 31, 2025. This bill contains other current laws.

Position
Watch

SB 353 **(Blakeslee R) Regulations: economic analysis.**

Introduced: 2/15/2011

Last Amend: 6/9/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 8/26/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. This bill would also provide that the activities of the office in reviewing and approving regulations, and amendments or repeal of regulations, as prescribed, be exempt from the California Environmental Quality Act. This bill contains other related provisions and other current laws.

Position
No Position

SB 366 **(Calderon D) Regulations: agency review.**

Introduced: 2/15/2011

Status: 5/10/2011-Hearing postponed by committee. (Refers to 5/10/2011 hearing)

Summary: Would, until January 1, 2013, require each state agency, defined, to mean every state office, officer, department, division, bureau, board, and commission, except the California State University within 180 days of the effective date of the bill, to undertake specified actions in regards to the regulations that have been adopted by the state agency, including, among others, identifying any regulations that are duplicative, overlapping, inconsistent, or out of date, and adopting, amending, or repealing regulations to reconcile or eliminate any duplication, overlap, inconsistency, or out-of-date

provisions, after conducting a publicly noticed hearing, as specified, and using procedures for adopting emergency regulations. This bill contains other related provisions and other current laws.

Position

No Position

SB 396 (Huff R) Regulations: review process.

Introduced: 2/16/2011

Last Amend: 4/7/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require each state agency to review each regulation adopted prior to January 1, 2011, and to develop a report with prescribed information that shall be submitted to the Legislature on or before January 1, 2013. The bill would also require each agency, on or before January 1, 2018, and at least every 5 years thereafter, to conduct additional reviews of regulations that have been in effect for at least 20 years, as specified, and to submit an annual report to the Legislature that identifies the regulations reviewed during that year and the associated findings.

Position

NAR

SB 400 (Dutton R) Regulations: impact on businesses.

Introduced: 2/16/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Current law requires an agency that is proposing to adopt, amend, or repeal a regulation to perform an assessment of the potential for adverse economic impact on California business enterprises and individuals, as specified. This bill would require that the impact assessment include specified additional criteria. The bill would also require the agency to submit economic assessments for certain regulations to the office for purposes of reviewing them and determining whether the assessment is based upon sound economic knowledge, methods, and practices, as specified. The bill would also require the office to reject a regulation that is based upon an economic assessment that was determined to not be based on sound economic knowledge, methods, and practices, as specified.

Position

No Position

SB 401 (Fuller R) Regulations: repeal provisions.

Introduced: 2/16/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require that every regulation proposed by an agency after January 1, 2012, include a provision repealing the regulation in 5 years. The bill would prohibit the office from approving a proposed regulation unless it contains repeal provisions. The bill would authorize an agency, in the year prior to a regulation's scheduled repeal, to amend the regulation to extend the repeal date, as specified, after complying with certain public hearing requirements.

Position

No Position

SB 409 (La Malfa R) Flood control: Department of Water Resources.

Introduced: 2/16/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/24/2011)

Summary: Current law authorizes the Department of Water Resources to make examinations of lands subject to inundation and overflow by flood waters and of the waters causing the inundation or overflow and authorizes the department to make plans and estimates of the cost of works to regulate and control the flood waters. This bill would make technical, nonsubstantive changes to this provision.

Position

Watch

SB 494 (Fuller R) California regional water quality control boards: perchloroethylene.

Introduced: 2/17/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/3/2011)

Summary: Under the Porter-Cologne Water Quality Control Act, the 9 California regional water quality control boards are among the principal state agencies that carry out responsibilities relating to water quality. This bill would declare the intent of the Legislature to enact legislation that would transfer responsibility for the investigation and remediation of perchloroethylene contamination to the regional boards.

Position

Watch

SB 496 (Fuller R) State Water Resources Development System.

Introduced: 2/17/2011

Status: 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/3/2011)

Summary: The Department of Water Resources operates the State Water Resources Development System, commonly referred to as the State Water Project, in accordance with the California Water Resources Development Bond Act. This bill would make technical, nonsubstantive changes to a provision that authorizes the issuance of bond funds in the amount of \$1,750,000,000 for the purposes of that bond act.

Position

Watch

SB 553 (Fuller R) Regulations: effective date.

Introduced: 2/17/2011

Last Amend: 4/5/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require that a regulation or an order of repeal of a regulation that has been identified by the agency as having, or as being reasonably likely to have, an adverse economic impact of at least \$10,000,000 become effective 180 days after the date it is filed with the Secretary of State, except as provided.

Position

Watch

SB 560 (Wright D) Regulations: small businesses.

Introduced: 2/17/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/28/2011)

Summary: The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. An agency that is considering adopting, amending, or repealing a regulation is authorized to consult with interested persons before initiating regulatory action, and requires an agency to do so when the regulation involves complex or numerous proposals. This bill would require the agency, if it does not, or is unable to, consult with these parties to inform in writing the Office of Small Business Advocate and the Department of Finance of its decision and the reasons for not consulting the impacted businesses. This bill contains other related provisions and other current laws.

Position

Watch

SB 571 (Wolk D) California Water Commission: California Water Plan: water resources investment.

Introduced: 2/17/2011

Last Amend: 4/13/2011

Status: 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/13/2011)

Summary: Would provide for the organization of the California Water Commission as a separate agency in state government, instead of as an agency within the Department of Water Resources. The bill would recast and revise provisions relating to the commission's selection of a chairperson and executive officer employment of staff, and delegation of its functions. This bill contains other related provisions and other current laws.

Position

Watch

SB 591 (Gaines R) Administrative regulations: reductions.

Introduced: 2/17/2011

Last Amend: 3/29/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies, and for review of those regulatory actions by the Office of Administrative Law. Current law requires the office to review a proposed regulation for necessity, authority, clarity, consistency, reference, and nonduplication, as defined. This bill would also require the office to review a proposed regulation for burden, as defined. This bill contains other related provisions and other current laws.

Position

Watch

SB 607 (Walters R) State Water Resources Control Board: water quality: brackish groundwater treatment.

Introduced: 2/17/2011

Last Amend: 4/27/2011

Status: 9/6/2011-Chaptered by the Secretary of State, Chapter Number 241, Statutes of 2011

Summary: Would require the State Water Resources Control Board, on or before January 1, 2013, to either amend the California Ocean Plan, or adopt separate standards, to address water quality objectives and effluent limitations that are specifically appropriate for brackish groundwater treatment system facilities that produce municipal water supplies for local use.

Position
Watch

SB 617 (Calderon D) State government: financial and administrative accountability.

Introduced: 2/18/2011

Last Amend: 9/8/2011

Status: 10/6/2011-Chaptered by the Secretary of State, Chapter Number 496, Statutes of 2011

Summary: Would revise various provisions of the Administrative Procedure Act with respect to the duties of the Office of Administrative Law and state agencies in the adoption, amendment, or repeal of regulations. The bill would also require each state agency to prepare a standardized regulatory impact analysis, as specified, with respect to the adoption, amendment, or repeal of a major regulation, as defined, that is proposed on or after November 1, 2013. The bill would require that the agency submit the analysis to the Department of Finance for review and comments, as specified, which would be required to be included with the notice of proposed action. This bill contains other related provisions and other current laws.

Position
No Position

SB 639 (Cannella R) Regulations: economic impact analysis.

Introduced: 2/18/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would require the California Environmental Protection Agency, the entities that comprise that agency, and the Division of Occupational Safety and Health, when proposing to adopt, amend, or repeal an administrative regulation, to complete an economic impact analysis of that action prior to the adoption, amendment, or repeal. The bill would require the economic impact analysis to contain the projected cost of the action to the General Fund, the projected total economic impact of the action, including the cost to private sector employers and the estimated number of jobs to be lost, a description of all feasible regulatory alternatives and a cost-benefit analysis of each alternative, and a summary of written comments, as specified. The bill would require the agency to subject the report to a review by an independent entity, as defined, and to make the economic impact report available on the agency's Internet Web site.

Position
NAR

SB 665 (La Malfa R) Lake and streambed alteration agreements: endangered species.

Introduced: 2/18/2011

Last Amend: 3/24/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Game regarding the activity. Current law requires the department to determine whether the activity may substantially adversely affect an current fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility. Current law prescribes various requirements for lake and streambed alteration agreements. Current law also establishes various exemptions, including exemptions for specified emergency work and certain agreements relating to water supply, drainage, flood control, or waste treatment and disposal facilities attained prior to January 1, 1977, after the initial notification and agreement. This bill would modify that prohibition to prohibit the installation of a new diversion or means of diversion, or the substantial alteration of an current means of diversion, that will substantially affect a river, stream, or lake as described above, unless prescribed requirements are met. This bill contains other related provisions and other current laws.

Position
Watch

SB 688 (Wright D) Regulations: legislative approval.

Introduced: 2/18/2011

Last Amend: 3/29/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/28/2011)

Summary: Current law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions

by the Office of Administrative Law. Current law requires the agency to assess the potential for adverse economic impact on California business enterprises and individuals, as specified. Current law provides that a regulation shall become effective 30 days after the date it is filed with the Secretary of State, as specified. This bill would also require an agency to produce, as part of the required impact assessment, a detailed estimate of the cumulative statewide cost impacts for affected businesses. This bill would require the agency to notify specified committees of the Legislature if the estimated cumulative statewide cost impacts for affected businesses exceed \$10,000,000, as specified. This bill contains other related provisions.

Position
Watch

SB 710 **(La Malfa R) Project: county services.**

Introduced: 2/18/2011

Last Amend: 3/25/2011

Status: 1/13/2012-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/10/2011)

Summary: Would authorize a county, in accordance with prescribed procedures, to prepare and adopt a county services impact report containing, among other things, a description of the costs of county services, as defined, related to the operation of specified dams and reservoirs as State Water Project facilities within the county. The bill would require the department to compensate the county for those costs by compensating the county directly, by providing the county with specified services and facilities, or by contracting with the county or a service provider to provide the services or facilities within the county. This bill contains other current laws.

Position
Watch

SB 834 **(Wolk D) Integrated regional water management plans: contents.**

Introduced: 2/18/2011

Last Amend: 8/25/2011

Status: 10/2/2011-Vetoed by the Governor

Summary: Would require an integrated regional water management plan to identify the manner in which the plan furthers a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region depends on water from the Delta watershed. The bill would require integrated regional water management plans to incorporate that requirement when they are developed, updated, or amended in accordance with guidelines established by the Department of Water Resources. For an application for funding for a plan that is made prior to an update or amendment of the plan, the bill would require an applicant to specify how the current plan advances the specified state policy concerning reducing reliance on the Delta for water supply and improving regional self-reliance for water.

Position
Support

SB 846 **(Berryhill R) The California Water Plan: water data.**

Introduced: 2/18/2011

Last Amend: 5/3/2011

Status: 12/9/2011-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011) (Refers to 8/17/2011 hearing)

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. Current law prescribes the contents of The California Water Plan, and requires the department to include a discussion of various strategies in the plan, including strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be pursued in order to meet the future needs of the state. This bill would additionally require the department to include in the plan an assessment of the state's water data system and would prescribe requirements relating to the contents and conduct of the assessment.

Position
Watch

Total Measures: 65
Total Tracking Forms: 65